

MINUTES OF MEETING CELEBRATION COMMUNITY DEVELOPMENT DISTRICT

The regular meeting of the Board of Supervisors of the Celebration Community Development District was held Tuesday, October 27, 2020, at 6:30 p.m. via communications media technology, Zoom Video Communications, due to the need for the District to continue its operations. In light of the public health emergency declared by Executive Order 20-52 and subsequent orders issued by Governor Ron DeSantis, the agenda and discussion were limited to necessary or time-sensitive matters.

Participating by communication media technology and constituting a quorum were:

Lee Moore	Chairman
Dave Orosz	Vice Chairman
Cliff Akey	Secretary
Paul Collins	Treasurer
Don McDonald	Supervisor

Also participating were:

Gary Moyer	Manager: Moyer Management Group
Jan Carpenter	Attorney: Latham, Luna, Eden & Beaudine
Mark Vincutonis	Engineer: Hanson Walter & Associates
Brenda Burgess	Moyer Management Group
Russ Simmons	Inframark, Field Services
Residents and Members of the Public	

Mr. Moyer, Mr. Orosz, and Mr. Simmons participated in the meeting at the District office. No other persons – Board, staff, or public – were present at the District office but participated via Zoom Video Communications. The public was encouraged to submit written comments in advance of the meeting, which comments if received are indicated under Public Comment Period.

This is not a certified or verbatim transcript but rather represents the context and summary of the meeting. The full meeting is available in audio format upon request. Contact the District Office for any related costs for an audio copy.

FIRST ORDER OF BUSINESS

Call to Order

Mr. Moore called the meeting to order at 6:30 p.m.

SECOND ORDER OF BUSINESS

Roll Call

Mr. Moyer called the roll and stated a quorum was present for the meeting.

THIRD ORDER OF BUSINESS

Public Comment Period

Mr. Moore indicated public comments are three minutes per speaker and are provided at the beginning and the end of the meeting.

Ms. Laurel Rousseau commented on the scooter ordinance and holiday decorations, and expressed concerns regarding the cost of decorations, what areas should be decorated, and if another entity be responsible for decorating the town.

Mr. Tom Delaney with Troop 125 discussed scout attendance at the meeting for the citizenship and community merit badge where each scout will choose a subject mentioned at the meeting and follow up with a Board member in order to earn his badge.

FOURTH ORDER OF BUSINESS

Administrative Matters and Announcements

This meeting is being held through Zoom Video Communications pursuant to Executive Orders 20-52 and subsequent orders issued by Governor DeSantis due to the need for the District to continue its operations. This meeting was advertised as a videoconference in accordance with Executive Order 20-69 and Florida Statutes.

There being no further administrative matters or announcements, the next order of business followed.

FIFTH ORDER OF BUSINESS

Approval of the Meeting Agenda

Mr. Moore reviewed the meeting agenda and requested to add an action item regarding swans as 7G.

Mr. McDonald made a MOTION to approve the meeting agenda, as amended. Mr. Akey seconded the motion.
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Upon VOICE VOTE, with all in favor, unanimous approval was given to the meeting agenda, as amended.

SIXTH ORDER OF BUSINESS

Consent Agenda

A. Minutes of September 8, 2020, Workshop and September 22, 2020, Regular Meeting

Mr. Moore reviewed the minutes, which are included in the agenda package and are available for public review in the District Office during normal business hours, and requested additions, corrections, or deletions.

Mr. McDonald made a MOTION to accept the September 8, 2020, and September 22, 2020, minutes, as presented. Mr. Akey seconded the motion.

Mr. Moore commented in response to some Facebook comments that minutes are not posted until they are approved and accepted by the Board, which is generally the next meeting.

Upon VOICE VOTE, with all in favor, unanimous approval was given to accept the September 8, 2020, and September 22, 2020, minutes, as presented.

B. Check Register and Invoices

Mr. Moore reviewed the check register and invoices, which are included in the agenda package and are available for public review in the District Office during normal business hours, and requested approval.

Mr. McDonald made a MOTION to approve the check register and invoices, as presented.
Mr. Akey seconded the motion.

Upon VOICE VOTE, with all in favor, unanimous approval was given to the check register and invoices, as presented.

SEVENTH ORDER OF BUSINESS

Action Items for Approval

A. Authorization to Enter into an Engagement with the Number-One Ranked Auditing Firm for the Fiscal Year 2020 Audit

Mr. Collins reviewed the audit selection committee meeting held today at 5:00 p.m. to review and rank auditing proposals received from Berger, Toombs, Elam, Gaines & Frank (“Berger Toombs”); Carr Riggs & Ingram; Grau & Associates; and McDirmit Davis. Scoring was based on criteria the committee previously approved, including ability of personnel, experience, understanding the scope, ability to provide the services, and price. All firms are qualified to provide the services. McDirmit Davis is the District’s current auditor and was ranked #1 as most qualified with the lowest price. Berger Toombs was ranked #2, and Grau & Associates was ranked #3. The committee recommended the Board approve entering into an engagement with McDirmit Davis.

Mr. Collins made a MOTION to approve entering into an engagement with the #1-ranked auditing firm, McDirmit Davis, for a three-year engagement beginning with fiscal year 2020, at a cost of \$5,000 per year.
Mr. McDonald seconded the motion.

Upon VOICE VOTE, with all in favor, unanimous approval was given to approve entering into an engagement with the #1-ranked auditing firm, McDirmit Davis, for a three-year engagement beginning with fiscal year 2020, at a cost of \$5,000 per year.

The Board expressed its thanks to the audit committee members.

B. Resolution 2021-01, Phase 1B Plat for Island Village

Mr. Moyer read Resolution 2021-01 into the record by title.

Mr. Moyer explained the reviews performed by Mr. Vincutonis and Mr. Simmons. Mattamy Homes is proposing to build 2,200 lineal feet of retaining wall, which will be as high as 10 feet in some locations, and the District expressed concern about taking on that maintenance responsibility rather than the home owners or another entity.

Mr. Vincutonis discussed his review of the plat and issues related to an easement referring to the ownership and maintenance of retaining walls as shown in the construction plans, which walls hold up residential lots due to the change in grade. The wall looks similar to the underpass on Celebration Avenue at S.R. 417 but will be more decorative. Discussions have been held with Mr. Christopher Thompson with Atkins, engineer for Mattamy Homes, regarding locations of the easements. The District may own the tracts but would in no way maintain the retaining wall system. Eastlawn has a similar retaining wall, and those plats show no easements to the District and appear to be within the lots themselves and/or look like they were built within each lot. Artisan Park has retaining walls within condominium tracts, not District owned or maintained. Staff recommends the District not acquire the retaining walls for ownership and maintenance that supports private property.

Discussion ensued related to other retaining walls and ownership, location of the retaining wall system in Phase 1B, performing a survey, keeping the precedent previously set where the wall is the responsibility of the home owner, granting an easement whereby Mattamy Homes can install the wall, considering options to (1) exclude the District from owning or maintaining any walls which would go to Mattamy Homes and its successors or an HOA or (2) have a separate tract for the retaining wall to be owned by an HOA or Mattamy Homes and its successors, explanation of private improvements which exclusively supports the private lots, and staff's suggestion to table this item and continue to discuss with Mattamy Homes.

Further discussion ensued regarding informing Mattamy Homes of the Board's preference not to maintain the wall and keep ownership and maintenance with the home owner.

Mr. McDonald made a MOTION to table Resolution 2021-01, Phase 1B plat for Island Village to allow staff and Mattamy Homes to discuss further.

Discussion ensued related to staff discussing this issue with The Celebration Company due to previous issues on Eastlawn.

There being no second, the motion failed.

This item will be added to the agenda for the November meeting.

C. Holiday Decorations

Discussion ensued related to an email from Mr. Michael Nunez from Lexin regarding holiday decorations and requesting a decision soon from the District due to Lexin hiring a new decorating company, staff's preference not to own and manage decorations, Mr. Akey's and Mr. Orosz's preference not to own or store or manage decorations and discuss further in November, option to ask CROA to decorate the town or the District decorate its property itself, Mr. Collins's preference not to continue negotiating with Lexin for decorations, and Mr. McDonald's comments regarding Memorial Day and Independence Day in addition to Christmas and prefers not being responsible for decorating.

This item will be added to the agenda for the November meeting.

D. Proposals for Street Sweeping

Mr. Moyer reviewed the Board's previous direction to solicit pricing for street sweeping services, Facilities Pro-Sweep price for 18 sweeps at a cost of \$38,304 or \$2,128 per sweep, the proposal from USA Seal & Stripe for 26 sweeps at a cost of \$52,000 or \$2,000 per sweep, and the proposal from Sweeping Corp of American at a cost of \$3,000 per sweep. The current budget is \$50,000 which is comprised of \$38,304 for the current contract amount plus extra monies for additional sweeping.

Mr. Collins requested references from USA Seal & Stripe, which is a local company. Mr. Simmons indicated this company performs paving and striping but does not have equipment to perform street sweeping currently. They would purchase equipment specifically for Celebration.

Discussion ensued regarding dissatisfaction with the current sweeping contractor; providing 30-day notice to terminate the existing contract and possibly starting January 1, 2021, with a new contractor; other debris in the road that should be swept up; preference for new equipment to be more efficient; and direction for Mr. Moyer to continue to vet USA Seal & Stripe to be sure they are qualified, insured, and can provide the service.

Mr. Akey made a MOTION to approve a street sweeping contract with USA Seal & Stripe to begin January 1, 2021, in the amount of \$52,000 for 26 sweeps annually.
Mr. McDonald seconded the motion.

Upon VOICE VOTE, with all in favor, unanimous approval was given to a street sweeping contract with USA Seal & Stripe to begin January 1, 2021, in the amount of \$52,000 for 26 sweeps annually.

E. Scooter Ordinance

Ms. Carpenter reviewed the ordinance as approved by the Osceola County Board of County Commissioners through Ordinance 2020-70. The County accepted most of the comments provided by the District, adopted Chapter 18 to the County code allowing operation of micro-mobility devices on County property and other public roads as long as conditions in the Ordinance are satisfied. One condition is an application must be filed and signed by 51% of the businesses in a commercial area or 51% of home owners in a special district's boundary that is submitting, and a safety/engineering study performed by the County. The devices have to be operated on designated roads and sidewalks and paths or other public properties the County has approved. The County accepted most of the changes the District requested on the application, including insurance requirements, and new urbanism design included in the engineering study. No scooter company can operate in Celebration until they go through this new process. The County will enter into an interlocal agreement with a special district to allow the County to issue fines on district-owned property. The County already owns the roadways, so operating without an approved application is a code violation.

Ms. Carpenter recommended the Board enter into an interlocal agreement to allow the County to enforce this Ordinance on District-owned property, namely sidewalks and alleys and trails. The District still retains no enforcement authority, but the County will enforce violations.

Mr. McDonald made a MOTION to approve legal counsel preparing a draft interlocal agreement with Osceola County to allow them to enforce violations of micro-mobility devices on District-owned property.

Mr. Orosz seconded the motion.

Discussion ensued regarding reporting violations by commercial scooter companies, CNOA could fall within 51% of business owners condition to allow scooters downtown, structure of downtown and how 51% applies to mixed use, and commercial use versus residents' personal scooters.

Upon VOICE VOTE, with all in favor, unanimous approval was given to approve legal counsel preparing a draft interlocal agreement with Osceola County to allow them to enforce violations of micro-mobility devices on District-owned property.

F. *Celebration News* Article for December 2020

Mr. Collins reviewed the proposed article written on behalf of the Board for the December edition of the *Celebration News*.

Mr. McDonald made a MOTION to approve the *Celebration News* article for December.

Mr. Akey seconded the motion.

Upon VOICE VOTE, with all in favor, unanimous approval was given to the *Celebration News* article for December.

G. Swans

Mr. Moore discussed the issue of swans in the community for the past several months, as requested by some residents, which was the result of a resident purchasing them and leaving them outside. Swans are not native to Florida and can live 20 to 30 years. Staff buried the dead swan and talked with Florida Fish and Wildlife Conservation Commission ("FWC") regarding this issue.

Discussion ensued regarding introducing non-native species in Florida, penalties that should be imposed, FWC should take the lead in removing the swans and investigating and prosecuting the people who brought them in, District support for any actions FWC will take, educating the residents through CROA's *Friday Flash*, District has no jurisdiction to enforce removal of swans, FWC has total authority, and the District could enter into an interlocal agreement with FWC to control the swans.

Mr. Moore made a MOTION to approve directing staff to meet with Florida Fish and Wildlife Conservation Commission to address the issue of swans in the community.

Mr. McDonald seconded the motion.

The public comment period was opened since this item was added to the agenda at the beginning of the meeting. There being none, Mr. Moore called the question.

Upon VOICE VOTE, with all in favor, unanimous approval was given to direct staff to meet with Florida Fish and Wildlife Conservation Commission to address the issue of swans in the community.

EIGHTH ORDER OF BUSINESS

Contractor and Third-Party Reports and Presentations

A. Celebration Residential Owners Association (CROA) Representative and Liaison

There being nothing to report, the next item followed.

B. Safety/Security/Traffic

The safety/security/traffic report is included in the agenda package and available in the District Office for public review during normal business hours.

Discussion ensued regarding the sheriff's department providing 10 to 14 deputies in the community for Halloween, details, following up with resident complaints, summary report and consistent reports from the deputies, budget for details, new sheriff after the general election, calls to the sheriff's department, scheduling, and continued patrolling and enforcement.

C. Island Village

There being nothing to report, the next order of business followed.

NINTH ORDER OF BUSINESS

Regular Reports

A. District Manager

i. Financial Statements

Mr. Moyer reviewed the financial statements included in the agenda package and available in the District Office for public review during normal business hours.

B. Field Operations

i. Monthly Field Management Report

Mr. Simmons reviewed the field management report included in the agenda package and available in the District Office for public review during normal business hours.

Mr. Simmons reported boardwalk caps are complete, bridge truss in Island Village is complete, cypress tree removal on Oak Shadows will begin November 9, sidewalk cleaning in Enterprise CDD will begin October 28, and 15 trees will be installed this week that had died and been removed.

ii. Resident Requests

Resident request log is included in the agenda package and available in the District Office for public review during normal business hours.

Mr. Simmons reviewed the request from Mr. Curt Busse to cut muscadine vines in Artisan Park, to which staff has no objection.

Mr. Simmons reviewed the request from Ms. Lisa Bell for a one-way sign on the Honeysuckle alley. Discussion ensued regarding the characteristics of the alley, tabling this item until November, adding the sign to an existing stop sign pole instead of a new pole, having the Board decide about future requests for one-way alleys, dangers and negatives of one-way alleys, traffic calming of two-way alleys, and leaving alleys as they are going forward.

Discussion ensued regarding resident requests being listed under action items, and the routine nature of most of these requests such as cutting vines versus requests that require a policy to be brought to the Board for action such as one-way alleys.

Mr. Simmons reviewed the request from Ms. Jessica Bonilla which will be discussed at a future meeting.

Mr. Simmons reviewed the request from a resident at the one-way alley the District just installed who does not want the sign on his property. Suggestions include putting “do not enter” on the back of the stop sign since “one-way alley” cannot be put on the stop sign.

iii. Miscellaneous

Mr. Simmons reported the planter wall at World Drive and Celebration Boulevard was damaged. McDonald’s Brick & Block provided a price to repair the wall for \$3,200, which is high. Staff will perform this work for less than \$500, and will have the equipment available for any future damage to the planter wall.

Mr. Simmons discussed a request from CROA to borrow the District’s lift on occasion for a couple hours, which would be a *quid pro quo* for allowing the District to use their empty lot for the District’s vendor staging. Staff has no objection to this request. Ms. Carpenter requested getting a release from CROA when they are using it.

Discussion ensued regarding the interactive fountain still being off, should it be turned on for the holidays, and direction to turn it on after Halloween.

Further discussion ensued regarding the Water Street pump, which Enterprise CDD is having the pump repaired or replaced, recommendation to drain and clean the Water Street canal at some point, and more frequent fish kills due to leaves in the drain.

C. Attorney

There being nothing further to report, the next item followed.

D. Engineer

The engineer's monthly report is included in the agenda package and available in the District Office for public review during normal business hours.

Mr. Vincutonis expressed his thanks to the Board members, current and outgoing.

TENTH ORDER OF BUSINESS Updates and Discussion Items

Discussion ensued related to swans and what communication effort could be done, and perhaps FWC has written material to educate the community.

ELEVENTH ORDER OF BUSINESS Other Business

There being none, the next order of business followed.

TWELFTH ORDER OF BUSINESS Public Comment Period

Mr. Greg Filak commented on safety report and sheriff's details, continued problem with speeding on Stickley, informative reports from contractors which would be nice to receive from all vendors notably the street sweeping contractor, and thankfulness for Supervisors whose terms are expiring in November.

THIRTEENTH ORDER OF BUSINESS Supervisor Comments

Mr. Collins expressed his thanks for Mr. Moore and Mr. McDonald serving on the Board of Supervisors.

Mr. Akey expressed his thanks to Mr. Dennis Dowd, and Mr. and Mrs. Welch who pick up litter along the streets, as well as other residents who pick up debris; and thanks to Mr. Moore and Mr. McDonald for their dedication and commitment and service to Celebration, encouraging them to continue to contact current Board members with thoughts and suggestions.

Mr. McDonald expressed his appreciation working with the District and the staff, notably Mr. Moyer; thanks for Mr. Moore's service and appreciation for his role as

Chairman; and appreciation for everyone who is involved in District activities, especially new people who are getting involved.

Mr. Moore expressed his appreciation for Mr. Moyer's service and tenure managing the District, Ms. Burgess being with the District almost from the beginning, Ms. Carpenter's many years of service, Mr. Vincutonis's expertise and involvement, Mr. Simmons's dedication and faithful work efforts, Ms. Natasha Cruz Millheim as a new asset to the team, Mr. Orosz who is running again for his seat and has served faithfully the past four years as a Supervisor, and Mr. McDonald and Mr. Akey and Mr. Collins who all care about the community and bring their experiences and expertise for the benefit of Celebration. Mr. Moore has served eight years, not consecutively, on the District's Board of Supervisors and eight years on the CROA Board of Directors, and expressed deep appreciation for Board members and staff.

FOURTEENTH ORDER OF BUSINESS

Adjournment

- *The next meeting is scheduled for Tuesday, November 17, 2020, at 6:30 p.m.*
- *The next workshop is scheduled for Tuesday, January 12, 2021, at 3:00 p.m.*

On MOTION by Mr. McDonald, seconded by Mr. Moore, with all in favor, the meeting was adjourned at 8:30 p.m.
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Cliff Akey, Secretary

Lee Moore, Chairman